Scott. II-27—50,006—27-10-41.

P.W.D (1942) Department.

Ms. SERIES.

G.O. No. 2056

Dated 20-6-1942.

[Despatch Abstract.]

Payment of Wages Act - Employee's Provident Fund - Codialbail Press, Mangalore - Revised Provident Fund Rules - Approved.

CODIALBAIL PRESS, MANGALORE

(CATHOLIC DIOCESAN PRESS OF MANGALORE)

Established: 1882

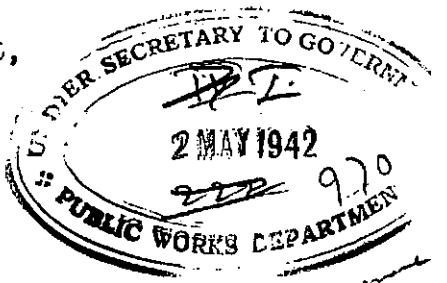
HIGH CLASS PRINTERS, BOOK BINDERS, PHOTO ENGRAVERS,
DIE STAMPERS ETC.

Ref. No.

27 - 4 - 1942.

To

The Secretary to Government.
P. W. D. and Labour Department,
M a d r a s.



From

The Manager,
Codialbail Press, Mangalore.

S i r,

I beg to submit herewith in duplicate the Rules of the Codialbail Press Provident Fund as revised on April 1st, 1942, for your kind approval and sanction. I have marked the alterations or additions within red brackets to facilitate your work. I beg to state that copies submitted are only draft ones and not finally printed. On your approval they will be fair printed and copies will be sent to you in duplicate. Kindly treat this as urgent.

Thanking you for an early compliance,

I have the honour to be,
S i r,
Your most obedient servant,

for Manager.

2 2/

2/12/5

P.W.D.

Endt. No 970-I/42-4 dt 11-5-42

Referred to the Cgl & Chief Inspector of Factories for remarks.

11/5/42 11/5 11/5

To

The Cgl & C.I.F.

(with enclosures.)

Leaflet attached to cf

3

CODIALBAIL PRESS, MANGALORE

Established : 1882

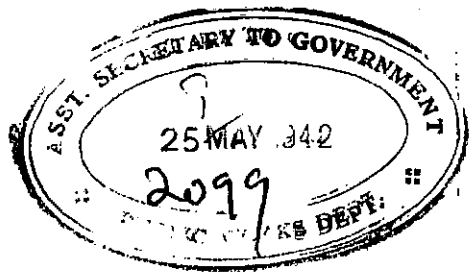
HIGH CLASS PRINTERS, BOOK BINDERS, PHOTO ENGRAVERS,
DIE STAMPERS ETC.

Ref. No.

22 - 5 - 1942 :

To

The Secretary to Government,
P. W. D. and Labour Dept.,
M a d r a s.



From

The Manager,
Codialbail Press,
Mangalore.

S i r,

I had submitted to you on 27-4-'42 under a Registered cover, the Rules of the Codialbail Press Provident Fund as revised on April 1st, 1942, in duplicate for your kind approval and sanction. I beg to submit that they have not yet been received back. As thereby inconvenience is felt, I pray to give this your early attention.

For which act of kindness

I beg to remain,
S i r,
Your most obedient servant,

M a n a g e r.

The remarks of the C&H have been called for, vide p 2 ante. His report may be awaited.

5

C.F. 32 (a).

FACTORIES Department

SECRETARY TO GOVERNMENT
Received 8-JUN 1942
To 12873
The Secretary to Government, Public Works Dept.

Registered

From (Name) F.R.Brislee Esq.,I.C.S.

Designation The Chief Inspector of Factories,

Station Chepauk, Madras.

To The Secretary to Government,
Public Works Department,
Madras.

Enclosures :

No. C. 700/42 dated the 4th June 1942.

Sir,

Sub:-Payment of Wages Act - The Employees Provident Fund - Codialbail Press, Mangalore - Revised Provident Fund Rules - Approval of.

Ref:-Manager's letter No. Nil, dated the 27th April 1942 and your endorsement No. 970 I 42-1 dated the 11th May 1942 thereon.

p/1-2 and

The rules of the Codialbail Press Provident Fund, Mangalore, may be approved, if rules 4(d) and 22 are amended as indicated below:

P 2 of the pamphlet at (2)

(1) Rule 4(d) should be specific that fines and

6

fees relate only to penalties imposed for failure to observe the rules of the Provident Fund.

P10 of the pamphlet at (2)

(2) In rule 22, the discretionary power to invest monies of the fund is vested in the General Body. The investment of such funds should be compulsorily made in securities or banks specified in Section 34 of the Madras Co-operative Societies Act, 1932.

Page 299 of Subsidiary Code Vol IV (6th Edn.) with pot mfs

C.P. Reddi
Commissioner of Labour and
for Chief Inspector of Factories,
Madras.

STV/5-6-42.

CR 5/6/42.

Under what law or rule is the approval required? G.M.

C 3/246

C.F. 16.

P.W.D.

DRAFT FOR APPROVAL.

Date 15

Initials.

SUBJECT :— Payment of Wages Act - Employes Provident Fund - Codialbail Press, Mangalore - Revised Provident Fund Rules - Approved. —

When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

Secs 14 & 16(1)

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

L. No. 970-I/42 From the Manager, Codialbail Press, No — ; dated 27/4/1942 P/cf

" ~~Endt to the~~ Press, Cgl, No 970-I/42 dt 11-5-1942 P2 cf

C. " 2873-I/42" Do No C.700/42 dt 4-6-1942 P

Order ~~Resolution~~ ~~Rule~~ Ms. No. 2056, dated 20.6. 19 42.

The Govt approve the revised ~~Provident~~ Rules of Provident Fund Rules of the Codialbail Press, Mangalore subject to the following remarks:-

P2 of pamphlet at (2)

(1) Rule 4(d) should be specific that fines and fees relate only to penalties imposed for failure to observe the Rules of the Provident Fund; and

P5-6 of

P 10 ibid

P6 of

(2) In rule 22, the discretionary power to ~~(invest)~~ invest monies of the Fund is vested in the General Body. The investment of such funds should be compulsorily made in securities or banks specified in section 34 of the Madras Co-operative Societies Act, 1932.

P 299 of Madras Code, Vol IV (16th Edn.) Not footnote

To

The Cgl ✓ 12/6/42 Dd/ 12 Dwrs 2 Dd/ sent with cover 12/6

" Manager, Codialbail Press, Mangalore

Copy to the G.A. Dept & Railway Auditor (Ex.)

16.6.42

2. 8

To A.S.

Please See Secy's query at the top on p/ante. The approval of Govt is required under clause (i) of Sub-Section (2) of Section 7 of the Payment of Wages Act, 1936.

16.6.42 16/6/42 16/6/42.

S 16/6/42

P 1480 the Factories Amendment (Rule 1054)

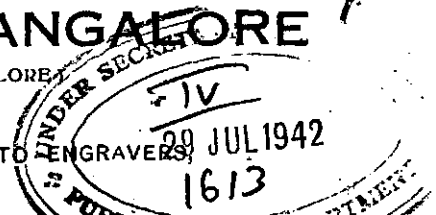
9

CODIALBAIL PRESS, MANGALORE

(CATHOLIC DIOCESAN PRESS OF MANGALORE)

Established : 1882

HIGH CLASS PRINTERS, BOOK BINDERS, PHOTO ENGRAVERS, DIE STAMPERS ETC.

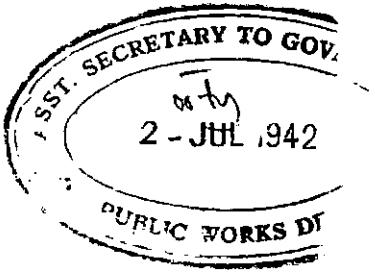


Ref. No. .....

25 - 7 - 1942.

To

The Secretary to Government,
P.W.D. and Labour Department,
M a d r a s.



From

The Manager,
Codialbail Press,
Mangalore.

S i r,

I beg to send herewith two printed copies of the revised rules of the Codialbail Press Provident Fund, as approved by Government in its communication G.O.Ms No. 2056 dated 20th June 1942, making the two alterations suggested therein. Kindly acknowledge receipt of the copies.

I beg to remain,
S i r,
Your most obedient servant,

Manager.

~~8~~ 11

17
4.8

PWD

W.O. no 1613 IV/4 — 1 dt 4.8.42

Payment of Wages Act — Employees Provident Fund — Cadial bail Press Mangalore — Printed copy of the Revised Provident Fund Rules

A printed copy of the revised rules of the Cadial bail Press Provident Fund embodying the corrections noted in Lr no 2056 P.W.D 20.6.42 may be sent to the Cycle Depot may be supplied to

12

State whether the amendments are in order

[illegible]

3.8.42

4/8/42

[illegible]

Note: The Secretary has suggested in the new Rule 22 suggested in the new 56 P.R. & O. that has not been correctly made. The word "Expeditiously" has been omitted but not been inserted between" should be" and "made" as above

4/8/42

3.8.42

C.F. 32 (a).

FACTORIES Department

From (Name) F.R.Brislee, Esq.,I.C.S.,
Commissioner of Labour &
Designation Chief Inspector of Factories, Chepauk, Madras.
Station

Received 14 AUG 1942 Registered
PUBLIC WORKS DEPT.

To The Secretary to Government,
Public Works Department,
Madras.

SECRETARY TO GOVT IV 18 AUG 1942 2058 PUBLIC WORKS DEPARTMENT

Enclosures:

C. No. 1064/42 dated 13th August 1942.

Sir,

Sub:-- Payment of Wages Act - Employee's Provident Fund - Codialbail Press, Mangalore - Printed copy of the Revised Provident Fund Rules - Corrections properly carried out -

Pg 3-4 ant

Ref:-- U.O.Note No.1613 IV/42-1 dated 4th August 1942 from the Under-Secretary to Government, Public Works Department, Madras.

- - -

Pg 7-8 (F)

The Amendments proposed in G.O.No. 2056, Public Works (Labour) Dated 20--6--42 have been incorporated in the rules of the Fund and they are in order.

for Commissioner of Labour &
Chief Inspector of Factories.

R.N/12.8.

CSK 14/8

15

P.W.D.

1/-20.8

20/8

Letter no 1613 IV/42-29 - 9.8.42

2,

The Manager, Codial bail Press,
Mangalore

Sir,

Payment of Wages Act - Employees Provident Fund - Codial bail Press, Mangalore - Revised Provident Rules - Printed Copies - Acknowledgment

DP/DS 21/8

✓

one Copy sent L C & L one Copy to Mr

Two printed copies of the revised rules of the Codial bail Press Provident

Annex H

Form of lodging the Complaint

Suggested by Govt in Govt no sent with your letter dt 15/7/99
2056 P.W.D dt 20.6.96 have been
received.

I have the

Yours faithfully
16 July 1999

NOTE:- After issue the papers
may be filed with Govt no 2056 P.W.D (E)
20.6.96

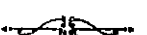
Yours faithfully
16 July 1999

RULES

OF

The Codialbail Press Provident Fund,

MANGALORE.



(Revised on April 1, 1942).

RULES

OF

The Codialbail Press Provident Fund,

MANGALORE

(Revised on April 1, 1942)

---

1. **Object:** The object of this Fund is to make some provision for the permanent employees of the Codialbail Press, on their retirement from service.

2. **Name of the Institution:** This Fund shall be called the **Codialbail Press Provident Fund.**

3. **Membership:** Every permanent employee of the Codialbail Press whose monthly salary is Rs. ten and above shall join the Fund.

4. **The Resources:** The resources of the Fund shall be as follows:—

(a) A monthly contribution of one anna in the rupee on the salary of each member: no contribution shall be levied on fractions of a rupee included in the member's salary. Contributions shall be reckoned only on the amount of the substantive salary of the member, all other allowances whether acting, overtime or special etc., being excluded.

(b) A monthly contribution by the Codialbail Press Management, on behalf of each member, of a sum equal to the one paid by that member.

(c) The interest of the two above contributions,

(d) Fines and fees collected, if any, for failure to observe the rules of the Provident Fund.

5. *(a)* Should a member be temporarily on reduced salary on account of leave of absence or any other cause, his contribution as well as that of the Management shall be reckoned, either on his normal salary, or not at all.

(b) If a member ceases to make payment for a certain period on account of leave of absence or continued sickness, the contribution of the Management will also cease for the same period.

(c) A contributor's payment shall not cease permanently until he retires from service in the Press.

6. *(a)* Separate account shall be kept showing the amount paid by each member and by the Press Management and the interest allowed thereon. The interest shall be calculated monthly. Besides, at the end of every year interest on the interest of the previous twelve or six months, as the case may be, shall be added. The interest accrued shall be exhibited in separate columns in the accounts. The rate of interest shall from time to time be fixed by the Board under the sanction of the Bishop of Mangalore who stands for the Press Proprietor, the Diocese of Mangalore.

(b) The accounts of the Fund shall be audited by an Auditor appointed by the members at the Annual General Meeting. As far as possible the Auditor shall be chosen from among the members but Board members are excluded from the Office of the Auditor.

7. (*a*) To each member of the Fund a Pass-book under the signature of the President and the seal of the Provident Fund shall be issued in which his accounts with the Provident Fund shall be shown.

(*b*) The Pass-book shall be produced at the Fund Office on the monthly pay day for the monthly contribution to be entered therein.

(*c*) Members are required to satisfy themselves as to the correctness of entries in the Pass-books, and if any errors are detected, they should be brought to the notice of the Secretary immediately.

(*d*) Should a member lose his Pass-book he shall procure a new one, paying a fine of four annas over and above the cost of the Pass-book.

(*e*) In the event of a new Pass-book being issued, of all previous entries, only the last balance standing to the credit of the member shall be shown.

8. (*a*) A member shall on his joining the Provident Fund, appoint his nominee or nominees (in the nominee-list in duplicate provided for the purpose) to whom the amount due to him by the Fund shall go in the event of his death. In case he nominates more than one person he shall enter in the nominee-list the proportion in which the amount shall be divided among them. If the nominee is a minor, the member shall nominate in the said list a guardian to receive payment. The nominee-list shall be signed both by the President and the Secretary and stamped with the seal of the

Fund. The original of the nominee-list shall be filed in the Fund Office and the duplicate returned to the member.

A member with the sanction of the Board, may at his option revise his nominee-list on payment of a fee of two annas and on surrender of the previous nominee-list, in all cases other than decease of the former nominee or the marriage of the member himself, and only the person or persons last registered shall be recognised by the Fund, and a receipt signed by these last shall be a full and valid discharge. When the revised nominee-list is sanctioned, the previous one will be null and void.

(*b*) The nominee-lists shall be strictly confidential and should be surrendered to the Provident Fund at the final payment of the bonus due.

(*c*) In the event of the duplicate nominee-list being destroyed or lost, a copy duly authenticated by the signature of the President and of the Secretary, with the seal of the Fund can be obtained with the sanction of the Board from the Secretary on payment of annas four per copy and on the production of an affidavit duly attested by any Magistrate regarding the loss or destruction of the duplicate.

9. Conditions for the Benefits of the Fund :—

(*a*) A member resigning service in the Press before he has completed five years' membership in the Fund, shall receive his contributions in full up to the

date of retirement, but only one-quarter of those paid by the Management of the Press, together with interest on the two sums thus calculated up to the end of the half year immediately preceding his retirement.

(*b*) A member resigning after five years, but prior to ten years of membership in the Fund, shall receive his own contributions in full, but only one-half of those paid by the Management of the Press, together with interest on these two sums thus calculated up to the end of the half year immediately preceding his retirement.

(*c*) A member who resigns after ten years, but prior to fifteen years of membership in the Fund, shall receive his own contributions in full, but only three-quarters of those paid by the Management of the Press, together with interest on these two sums thus calculated up to the end of the half year immediately preceding his retirement.

(*d*) A member who resigns at any time after fifteen years of membership in the Fund shall receive the full benefits of his own contributions and those of the Press, together with interest on these two sums thus calculated up to the end of the half year immediately preceding his retirement.

10. (*a*) The word "resign" in Rule 9 (*a*), (*b*), (*c*) and (*d*) shall mean "relinquishing service in the Press of his own accord after having duly given a month's notice in writing," though the Manager shall

be at liberty to discharge him earlier. In default of such a notice, the resigning or absenting member shall be treated as a dismissed one under Rule 11, unless satisfactory explanation is furnished to the Board within three months from the date of his absence.

(*b*) Retirement from service owing to death or permanent illness occurring any time during a contributor's membership shall entitle him to the full benefits of the Fund as per Rule 9 (*d*).

11. In case a member of the Fund is dismissed from the service of the Press any time during his membership for misconduct, insubordination and the like which in the opinion of the Management seems grave, he shall retain his right to his own contributions up to the date of such dismissal but out of the contributions paid by the Management of the Press, he shall receive only one-half of what he should have had if he had resigned as per Rule 9(*a*), (*b*), (*c*) and (*d*), together with interest on the sum thus calculated up to the end of the half year immediately preceding his dismissal.

12. In case the services of a member of the Fund are dispensed with by the Press Authorities on any other grounds, he shall be treated as one who has voluntarily resigned as per Rule 9 (*a*), (*b*), (*c*) and (*d*).

13. (*a*) Any surplus investment after paying interest fixed as per Rule 6 (*a*) on the contributions and any other income shall constitute a "Special

Reserve Fund" to be used for meeting the expenses of the Management of the Fund.

(*b*) Lapses from contributions paid by the Press, together with the interest accrued thereon, shall revert to the Press.

14. The affairs of the Fund shall be managed by a Board constituted as under :—

Constitution:—The Board shall be composed of—

(*a*) The Manager of the Press—*ex-officio* President.

(*b*) Two members of the Fund to be nominated by the Manager of the Press.

(*c*) Three members to be elected by the members from among the members.

The Manager of the Press shall also be the President of the Board and Chairman of its meetings. The Chairman shall have the casting vote.

15. The nominated and elected members shall hold office for two and three years respectively but they shall be eligible for re-nomination or re-election. One nominated and one elected member shall retire annually by rotation. Any vacancy occurring among the members of the Board before the expiry of the term of office shall be filled in by the Board in the case of elected members and by the Manager in the case of nominated members; and such member or members shall hold office for the unexpired term.

16. The Secretary of the Board shall be elected from among the members of the Board. He shall keep

24

the accounts of the Fund and all its other records. In the discharge of his duties, he shall be answerable to the President of the Board. The Board shall fix the remuneration payable to him, subject, however, to the sanction of the General Body and the Bishop.

17. **Meetings**:—

(i) The Annual General Meeting shall take place ordinarily on the 5th of February every year to transact the following business:—

(*a*) To receive the Board's Report on the working of the Fund, together with the Balance Sheet and Auditor's Report for the year ended 31st December previous;

(*b*) To elect one member of the Board;

(*c*) To sanction the budget;

(*d*) To dispose of such other business as the Board may have brought forward;

(*e*) To dispose of any other matter of which notice shall have been given by members of the Fund to the Board by the 1st December previous;

(*f*) To appoint an Auditor and fix his remuneration;

(*g*) To revise security concerns for investment and prepare their list.

(ii) The Board may either of its own accord or on the requisition of the 25% of the members of the General Body, call for an Extraordinary General Meeting.

(iii) For the purpose of the Annual General or Extraordinary General Meeting a week's notice shall be deemed sufficient and the Secretary shall circulate among the members of the Fund, such notices with the agenda and their connected papers a week prior to the meeting.

(iv) 25% of the members of the Fund shall form the quorum at all General Meetings.

(v) The President of the Board shall be the President at the Annual General or Extraordinary General Meetings and he shall be entitled to a casting vote in case of an equal division of votes.

18. The Board shall meet on the third of every month to pass loan applications, admit members, enrol nominees and to transact any other business.

The quorum for such meetings shall be the President and any three other members of the Board. The President shall be entitled to a casting vote. In the absence of the President, the meeting shall be adjourned.

19. The Bishop of Mangalore, who stands for the Press Proprietor, the Diocese of Mangalore, shall be at liberty to preside at any General or Board Meetings, whenever he chooses to do so.

20. (*a*) The General Body shall have full power to add to, alter or amend these rules as it may deem necessary or expedient, subject to the sanction of the Bishop.

(*b*) The Board may frame bye-laws not inconsistent with the rules of the Fund. The bye-laws so framed shall be enforced one month after they are published and made known to members by affixing a copy of the bye-laws to the Notice Board, near the Secretary's office.

21. Any question or dispute arising under these rules or generally in regard to the Fund or the rights or claims of any contributor therein or thereto, shall be determined by the Board. In the event the decision of the Board is found unsatisfactory appeal may be made to the Bishop-Proprietor of this Diocesan Press, whose decision in all cases shall be final.

22. (*a*) The discretionary powers to invest monies of the Fund is vested in the General Body. The investment shall be made in securities or Banks specified in Sec. 34 of the Madras Cooperative Societies Act, 1932. The approval of securities is to be done annually at the General Meeting and a revised list maintained annually.

Monies are to be invested on behalf of the Fund on the 5th or earlier of the month in the names of (1) the President and (2) the Bishop, to be operated upon by either or survivor.

(*b*) The President, after approval by the Board in a Meeting, shall have discretionary powers to sanction (or reject the application without assigning any reason) to members of the Fund on the security of their own contributions and on the execution of a

Demand Promissory Note, loans to the extent of 90 per cent of their contributions only, repayable in equal monthly instalments within three years on pay-days of the Press by way of compulsory deduction from their salary with interest at the rate sanctioned by the Bishop-Proprietor of the Diocesan Press.

(c) The Managing Board may also issue loans to members of the Fund on the security of their landed property, provided:—

(i) The mortgagor is a member of the Fund.

(ii) The mortgagor is the only and sole proprietor of the mortgage property and has a valid and legitimate title, without encumbrances, decrees and attachments etc. proved by legal opinion furnished by the mortgagor at his cost from a pleader approved by the Board and without the likelihood of the mortgagor being insolvent within three months of the issue of loan.

(iii) The mortgage amount does not at any time exceed 90 per cent of the aggregate amount of his own contribution and that of the Press, exclusive of interest.

(iv) The mortgagor is prepared to repay the loan with interest in monthly instalments fixed by the Managing Board by compulsory deductions from his monthly salary.

(v) The mortgage property is or can be made the first and the only debtor of the Fund and the mortgagor gives written assurance of not further encumbering the property.

(vi) All the expenses incidental to the transac-

tion, registration, administration of the property and reconveyance, are borne by the mortgagor.

(vii) The entire loan does not exceed half the market value of the property.

(viii) The Managing Board is satisfied with regard to all the conditions laid down above.

(ix) The member receiving the loan revises his nominee-list in favour of the President to the extent of the loan and interest thereon.

23. No payment shall be made to, or on account of, any member until any debt that he may owe to the Codialbail Press has been paid.

24. The Board, or the President in urgent cases, in anticipation of the Board's approval shall pay, after receiving an application in writing, the amount due to a retiring member or to the nominee of a deceased member not later than three months after his retirement or decease. In case of the death both of the member or of his nominee, it shall be competent for the Board to pay the amount to the natural heir or heirs of the member, provided the Board is satisfied as to heirship of the claimant or claimants. Else payment will be made on production of Probate or Succession Certificate. Interest on the amount due, however, shall cease at the end of the half year preceding the date of the retirement or decease.

25. The payee shall, in all cases where the amount exceeds twenty rupees, pass a stamped receipt duly attested.